IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

Crl.Rev.Pet.No. 950 of 2000

CRL.A .NO. 208/1998 OF SESSIONS COURT, KOZHIKODE DTD. 18/05/2000,
C.C. NO. 843/1994 OF JUDL.MAGISTRATE OF FIRST CLASS, KOYILANDY

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REVISION PETITIONER/APPELLANT/ACCUSED:

POTTIKKOTH IMBICHI MAMMAD,
S/O. KUNHAYANKUTTY HAJEE,
ERAMANGALAM, BALUSSERY,
QUILANDY.

BY ADV. SRI.P.V.KUNHIKRISHNAN.

RESPONDENT/RESPONDENT/COMPLAINANT:

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1. C.P. ABDUL KHARIM,
S/O. MUHAMMAD,
CHATHANPARAMBATH,
P.O. KEEZHARIYOOR.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY ADV. SRI.P.K.RAMKUMAR,
PUBLIC PROSECUTOR SRI. AMJATH ALI.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 12/09/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P. NO. 5080/2000 IN CRL.R.P. NO. 950/2000

DISMISSED

12/09/2007. **SD/- K.R.UDAYABHANU, JUDGE.**

//TRUE COPY//

prv.

K.R. UDAYABHANU, J.

CRL.R.P.NO. 950 OF 2000

DATED THIS THE 12TH SEPTEMBER 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.4000/- and in default to undergo simple imprisonment for three months.

Counsel for the revision petitioner has only pleaded for modification of sentence. It is submitted that Rs.38,000/- has been paid to the complainant. The same is admitted. The cheque amount is Rs.1,50,000/-.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.1,17,000/- to the complainant and in default to undergo simple imprisonment for three months. The revision petitioner is granted three months time to remit the amount of compensation. He shall appear before the Judicial First Class Magistrate, Quilandy on 14-12-2007 to receive sentence.

ks. **K.R.UDAYABHANU, JUDGE**

K.R.UDAYABHANU, J

CRL.R.P. NO. 950 of 2000

ORDER

12-9-2007.